

Minutes  
Board of Supervisors  
Regular Meeting  
June 16, 2015

Members Present: Johnny Woodward, Chairman At-Large  
D. Keith Guzy, Jr., District 1  
David Wiatrowski, District 2  
J. D. Cave, District 3  
Darrell Short, District 4  
Dorothy F. Pendley, District 5

Staff Present: Amity Moler, County Administrator  
Regina Miller, Assistant to the County Administrator  
Nathan Miller, County Attorney

**Call to Order:**

Chairman Johnny Woodward called to order the regular meeting of the Page County Board of Supervisors on June 16, 2015, at 5:00 p. m. in the County Administration Conference Room located in the Page County Government Center, 103 South Court Street, Luray. A quorum of the Board was present.

**Closed Session:**

**Motion:** Supervisor Guzy moved that the Page County Board of Supervisors convene in closed session under the Virginia Freedom of Information Act for discussion of the award of a public contract involving the expenditure of public funds to add Page County as a member of the RSW Regional Jail Authority, and discussion of the terms or scope of such contract, where discussion in an open session would adversely affect the bargaining position or negotiating strategy of the Authority, pursuant to Section 2.2-3711(A)(29) of the Code of Virginia. Supervisor Cave seconded and the motion carried by a vote of 6-0. Aye: Guzy, Wiatrowski, Cave, Pendley, Woodward. Nay: None. Absent: Short.

(Clerk's Note: Supervisor Short arrived at 5:10 p.m.)

**Exit Closed Session:**

**Motion:** Supervisor Pendley moved the closed meeting be adjourned and the Page County Board of Supervisors reconvene in open session. Supervisor Guzy seconded and the motion carried by a vote of 6-0. Aye: Guzy, Wiatrowski, Cave, Short, Pendley, Woodward. Nay: None.

**Recess:** The Board took a brief recess at 6:10 p.m.

**Reconvene:** Chairman Woodward reconvened the meeting at 7:03 p.m. in the Board of Supervisors Room. This was followed by the *Pledge of Allegiance* and the Invocation was given by George Cummings.

**Certification of Closed Session**

To the best of my knowledge (i) only public business matters lawfully exempted from open meeting requirements under Section 2.2-3711 (A) of the Code of Virginia, 1950, as amended, and (ii) only such public business matters as were identified in the motion by which the closed meeting was convened were heard, discussed or considered in the meeting.

Recorded Roll Call Vote:

|                    | <u>AYE</u> | <u>NAY</u> | <u>ABSENT</u> | <u>ABSTAIN</u> |
|--------------------|------------|------------|---------------|----------------|
| D. Keith Guzy, Jr. | X          |            |               |                |
| David Wiatrowski   | X          |            |               |                |
| J. D. Cave         | X          |            |               |                |
| Darrell Short      | X          |            |               |                |
| Dorothy Pendley    | X          |            |               |                |
| Johnny Woodward    | X          |            |               |                |

**Adoption of the Agenda:**

Supervisor Guzy asked to add Schools Discussion to the agenda under New Business.

**Motion:** Supervisor Cave moved to adopt the agenda, as revised. Supervisor Short seconded and the motion carried by a vote of 6-0. Aye: Woodward, Guzy, Wiatrowski, Cave, Short, Pendley. Nay: None.

**Public Hearing – Noise Ordinance Amendment:**

**EXHIBIT A**

Chairman Woodward opened the public hearing on the Noise Ordinance Amendment at 7:08 p.m.

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NOTICE OF PUBLIC HEARING  
BOARD OF SUPERVISORS  
COUNTY OF PAGE, VIRGINIA  
AN ORDINANCE TO AMEND CHAPTER 81.,  
NOISE, OF THE PAGE COUNTY CODE

PLEASE TAKE NOTICE: That the Board of Supervisors of the County of Page, Virginia shall hold a public hearing on June 16, 2015, at 7:00 p.m., in the Board of Supervisors Room in the County Government Center, 103 South Court Street, Luray, Virginia 22835, for the purpose of a public hearing on the proposed ordinance to amend Chapter 81., Noise, of the Page County Code.

The full text of the proposed amendments to the Ordinance may be reviewed and inspected at the Office of the County Administrator, 103 South Court Street, Suite F, Luray, Virginia 22835.

The public is invited to attend this public hearing to express their views thereon.

The Notice is given pursuant to 15.2-1427 of the Code of Virginia (1950), as amended.

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Mrs. Moler said that on August 5, 2014, the Board of Supervisors adopted an ordinance to enable the Sheriff's Office to enforce a noise ordinance. It was brought to her attention that the definitions of daytime and nighttime have the incorrect enforceable times for Friday and Saturday. Enforceable times for Friday and Saturday need to be corrected from 6:00 a.m. to 12:00 a.m. for daytime and 12:00 a.m. and 6:00 a.m. for nighttime.

Public Comments:

Mary Morehouse who lives in Rileyville said that her neighbor will shoots his gun for hours sometimes until dark. She attended the meeting in anticipation that the Board would do something about it, but then realized that the hearing had nothing to do with her complaint.

Chairman Woodward explained that with this amendment this will give the Sheriff's Office the ability to enforce the ordinance, and if people are not in compliance, they can be fined.

With no further comments from the public, Chairman Woodward closed the hearing at 7:15 p.m.

Sheriff Thomas outlined the exemptions in the Noise Ordinance and indicated that shooting, sports shooting, range shooting and shooting on private property is exempt.

Supervisor Guzy said the community is a sportsman's community and it is going to be difficult to change the shooting exemption. Supervisor Wiatrowski asked if the Board could change the times for shooting. Supervisor Guzy said he just does not see a way around this.

**Motion:** Supervisor Guzy moved to adopt the Ordinance to Amend Chapter 81, Noise. Supervisor Pendley seconded and the motion carried by a vote of 6-0. Aye: Guzy, Wiatrowski, Cave, Short, Pendley, Woodward. Nay: None.

Public Hearing – Budget Amendment:

Chairman Woodward opened the public hearing on the Budget Amendment at 7:21 p.m.

\*\*\*\*\*

Notice of Public Hearing  
Budget Amendment  
Page County Board of Supervisors

On June 16, 2015, at 7:00 p.m., the Page County Board of Supervisors will conduct a public hearing at the Page County Administration Building, 103 South Court Street, Luray, Virginia 22835, for the purpose of considering an amendment to the fiscal year 2015 budget. The aggregate amount of the amendments exceed one percent of the fiscal year 2015 budget and the public hearing is required by Section 15.2-2507 of the Code of Virginia.

|              |                            |             |
|--------------|----------------------------|-------------|
| Revenue:     | State Funds                | \$ 450,163  |
|              | Federal Funds              | 109,718     |
|              | Local Funds                | 666,429     |
|              | Other Funds                | 250         |
|              | School Arbitrage Funds     | 1,221,842   |
| Expenditure: | Page County Public Schools | \$1,221,842 |
|              | General Fund               | 1,226,560   |

\* \* \* \* \*

Ben Blevins, Management Analyst, explained the four appropriations as follows:

- 1) The Page County Sheriff's Office is requesting state funds (VA Compensation Board) to be appropriated by the Board. These funds are often used (as a supplement) for the justification of salary increases for deputies not making the minimum salary. An appropriation of Temporary Payroll Funds to the Page County Sheriff's Office will increase the County budget by \$9,703.
- 2) The Page County Fire-EMS Department is requesting state funds to be appropriated by the Board in the amount of \$36,317. These funds will be used for purchasing equipment, supplies, and training. Appropriation of the Four for Life Grant request to the Page County Fire-EMS Department will increase the County budget by \$36,317.
- 3) The Page County CPMT is requesting a supplemental allocation from the Office of Comprehensive Services in the amount of \$75,000 of which Page County will be responsible for \$21,488. These funds will be used to cover the purchasing of mandated services. Appropriation of state and local funds to the Page County CSA Department will increase the County budget by \$75,000.
- 4) The Page County Sheriff's Office is requesting a supplemental allocation from the Board in the amount of \$350,000. The purpose of this request is to cover the shortfall in funds for the FY15 budget. Appropriation of local funds to the Sheriff's Office will increase the County budget by \$350,000.

Several Board members asked for clarification on the \$350,000 request from the Sheriff. Sheriff Thomas explained that when developing the current budget in November 2013 they were three months behind in payments to Middle River Regional Jail because they had not sent their bills. At that time, it appeared that those payments would be lower than the previous year, but they were not. Therefore, Middle River's total cost was



underestimated and the County currently has a population there of 44 inmates. Last year, the population was 38 inmates. Those numbers, plus additional medical expenses this year, and jail food and utilities is what accounts for the shortfall. He said it was a lack of projected forecasting of the budget numbers that had been trending upward since 2013. He apologized for the shortfall. Mrs. Moler added that after the state had approved its budget they had approved to fund two new positions, but then came back after it was adopted and took back funding for 1½ of the positions.

Supervisor Guzy said in addition to the \$350,000 information was received earlier that day that they will be receiving a medical bill in the amount of \$91,000 for an inmate. This amount will need to be added to the \$350,000, which would make the total appropriation \$441,000. He asked County Attorney Miller and Sheriff Thomas to contact UVA to ask for forgiveness on the bill, however, this is still a bill that needs to be paid.

**Public Comments:**

With no speakers during the hearing, Chairman Woodward closed the public hearing at 7:36 p.m.

Mrs. Moler said the \$9,703 is coming from the State for the Sheriff's Office salaries. The local share for CSA can be transferred from Board Reserve, which would not raise the bottom line in the budget. The amount of \$441,000 for the Sheriff's Office would have to come from the fund balance.

**Motion:** Supervisor Cave moved to approve the appropriation of state funds (Temporary Payroll Funds) in the amount of \$9,703 to the Page County Sheriff's Office. Supervisor Guzy seconded and the motion carried by a vote of 6-0. Aye: Wiatrowski, Cave, Short, Pendley, Woodward, Guzy. Nay: None.

**Motion:** Supervisor Guzy moved to approve the appropriation of state funds (Four for Life Grant) in the amount of \$36,317 to the Page County Fire-EMS Department. Supervisor Short seconded and the motion carried by a vote of 6-0. Aye: Cave, Short, Pendley, Woodward, Guzy, Wiatrowski. Nay: None.

**Motion:** Supervisor Short moved to approve the appropriation of state and local funds in the amount of \$75,000 to the Page County CSA Department. Supervisor Pendley seconded and the motion carried by a vote of 6-0. Aye: Short, Pendley, Woodward, Guzy, Wiatrowski, Cave. Nay: None.

**Motion:** Supervisor Short moved to approve the appropriation of local funds in the amount of \$441,000 to the Page County Sheriff's Office. Supervisor Pendley seconded and the motion carried by a vote of 6-0. Aye: Pendley, Woodward, Guzy, Wiatrowski, Cave, Short. Nay: None.

**Presentations, Proclamations and Awards:**

**Employee of the Month (December 2014 – June 2015):**

Mrs. Moler said the following employees were awarded Employee of the Month, by the Committee, for the months of December 2014 through June 2015:

December – Stephanie Lillard, Director of Economic Development & Tourism  
January – Kim Slye, Deputy Treasurer  
February – Tony Painter, Athletic Coordinator  
March – Mark Packard, Maintenance Supervisor  
April – Jay Roy, Sheriff's Deputy  
May – Neena Zalipski, County Administrator Office Aide  
June – Michelle Somers, Zoning Administrator

Chairman Woodward presented each employee with a bonus check of \$100 and a Certificate of Appreciation.

**Public Comments on Agenda Items:**

There were no public speakers.

**Action Matters:**

**Personnel Policy Amendment – Fire/EMS Physical Fitness Test:** EXHIBIT B

Mrs. Moler said that when she presented this to the Board at the work session, they requested she change the wording from “required to do at least one hour of physical fitness training a day” to “encourage devoting at least one hour”. She reminded the Board that other localities require one hour of physical fitness a day. Jeff Hensley, Fire/EMS Coordinator, said he feels that it should be mandatory and he fully supports it. He felt that implementing this policy will cut down on the use of sick leave. He noted that his staff has been provided an opportunity to have a place to workout, which will give them plenty of time to pass the fitness test, as well as continuing with daily training.

County Attorney Miller said a question was raised at the work session regarding the 40 hour work week. He noted that he reviewed the requirements of Fairfax County, the Virginia Department of Emergency Services and the U. S. Emergency Medical Services education standards and all of them require this. This can be set as a requirement within the 40 hour work week.

**Motion:** Supervisor Short moved for staff to implement a mandatory physical fitness program that includes required daily fitness training as well as annual testing, based on the department guidelines that have been established. Supervisor Wiatrowski seconded and the motion carried by a vote of 6-0. Aye: Woodward, Guzy, Wiatrowski, Cave, Short, Pendley. Nay: None.

**Board and Commission Appointments:**

Regina Miller, Assistant to the County Administrator, reviewed the appointments as follows:

**Economic Development Authority:**

An appointment needs to be made to the Economic Development Authority for the District 5 seat. Brenda Haggatt no longer wants to serve. Supervisor Pendley then nominated Craig Lancto to fill the seat.

**Motion:** Supervisor Pendley moved to appoint Craig Lancto to the Economic Development Authority, as the District 5 representative, to fill an unexpired term through January 31, 2017. Supervisor Short seconded and the motion carried by a vote of 6-0. Aye: Guzy, Wiatrowski, Cave, Short, Pendley, Woodward. Nay: None.

**Community Policy and Management Team:**

The appointment of two designees are needed to represent the Page County Public Schools System and the Juvenile Court Services Unit. Mr. Eric Benson has been recommended for appointment as the school system designee and Mrs. Janie Grinnan has been recommended as the designee for the Juvenile Court Services Unit.

**Motion:** Supervisor Short moved to appoint Mr. Eric Benson and Mrs. Janie Grinnan to be a member of the Page County Community and Policy Management Team effective July 1, 2015 with no set termination date. Supervisor Wiatrowski seconded and the motion carried by a vote of 6-0. Aye: Wiatrowski, Cave, Short, Pendley, Woodward, Guzy.

Nay: None.

**Consent Agenda:**

**Motion:** Supervisor Short moved to approve the Consent Agenda as follows:

- Financial reports for the period of May 1–31, 2015;
- Accounts payable checks, payroll checks, payroll direct deposits, and payroll tax related electronic fund transfers totaling \$1,431,183.84 for the month of May 2015;
- Minutes of May 5, 2015 and May 19, 2015;
- Three coyote claims to William Foley, totaling \$150.00.

Supervisor Wiatrowski seconded and the motion carried by a vote of 6-0. Aye: Short, Pendley, Woodward, Guzy, Wiatrowski, Cave. Nay: None.

**Old Business:**

There was no Old Business for the Board to consider.

**New Business:**

**Supervisor's Corner:**

Supervisor Pendley presented the Supervisor's Corner newsletter for June. It was consensus of the Board to publish as written.

**Schools Discussion:**

Chairman Woodward indicated that the School Board has established a committee concerning the school budget and they appointed Mrs. Sharon Lucas and Mrs. Jackie Sullivan-Smoot as the School Board representatives. They have asked that the Board of Supervisors appoint two members to serve as well. After discussion, he appointed Supervisors Guzy and Pendley to represent the Board.

**Resolution for the Page County High School Girls Softball Team:**

Supervisor Cave suggested that the Board adopt a Resolution commending the Page County Girls Softball Team for winning the state championship.

It was consensus of the Board to place it on the July 7<sup>th</sup> work session agenda.

**Open Public Comments:**

There were no speakers during Open Public Comments.

**Administrator's Report:**

Mrs. Moler said she was pleased to see the number of bidders for the Cell 10 project at the landfill. She plans to bring the bids to the Board for award in July.

Next, she outlined that the Hawksbill Greenway Foundation is requesting funds from the transient occupancy tax (TOT) if the Board would like to consider their request. The Board agreed to wait 90 days and then consider the request.

**Supervisors Time:**

Supervisor Wiatrowski thanked everyone for coming. He said he went to Luray High School graduation and was so impressed with the school gym and the students as well.

Supervisor Cave thanked everyone for coming to the meeting.

Supervisor Guzy thanked everyone as well, and said he was glad the County is moving in the right direction.

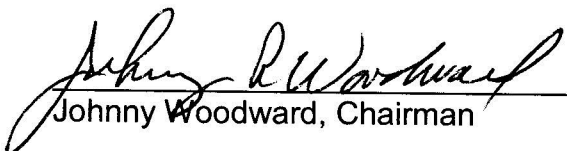
Supervisor Short thanked everyone for coming out.

Supervisor Pendley said she was thrilled when the girls' softball team came through Shenandoah with police escort after winning the championship.

Chairman Woodward thanked everyone for attending the meeting.

**Adjourn:** 8:27 p.m.

With no further business, Chairman Woodward adjourned the meeting.

  
Johnny Woodward, Chairman

  
Amity Moler, County Administrator

AN ORDINANCE TO AMEND  
CHAPTER 81, NOISE

WHEREAS, on August 5, 2014, the Board of Supervisors voted to enact Chapter 81, Noise, of the Code of the County of Page;

WHEREAS, upon review by Counsel certain errors were found in the Daytime and Nighttime dates;

WHEREAS, upon mature consideration, the Board has determined the advisability to amend the Noise Ordinance, as hereinafter set forth to conform to the ruling of the Virginia Supreme Court regarding the constitutionality and enforceability of noise ordinances;

NOW, THEREFORE, BE IT RESOLVED AND ORDAINED BY THE BOARD OF SUPERVISORS OF THE COUNTY OF PAGE, VIRGINIA THAT: Chapter 81, Noise Ordinance is amended, as follows:

**Chapter 81. NOISE**

§ 81-2. - Definitions (b) *Daytime*: Delete 12:00 P.M. and insert in its place 12:00 A.M.

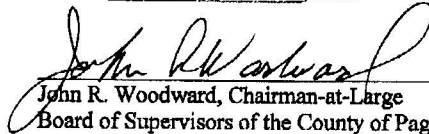
§ 81-2. - Definitions (f) *Nighttime*: Delete 12:00 P.M. and insert in its place 12:00 A.M.

This Ordinance shall be in full force and effect from and after the date of passage, as provided by law.

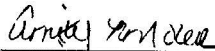
Dates of Notice Publication: May 28, 2015

June 4, 2015

Date of Adoption of Ordinance June 16, 2015

  
John R. Woodward, Chairman-at-Large  
Board of Supervisors of the County of Page, Virginia

Attest:

  
Amity Moler, Clerk

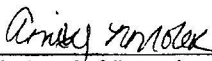
**CERTIFICATE OF VOTES**

The undersigned Clerk of the Board of Supervisors of Page County, Virginia, hereby certifies that the foregoing Ordinance constitutes a true and correct copy thereof adopted by the Board of Supervisors at a regular meeting duly held and called on June 16, 2015. A record of the roll-call vote by the Board of Supervisors is as follows:

| NAME                                | AYE | NAY | ABSTAIN | ABSENT |
|-------------------------------------|-----|-----|---------|--------|
| John R. Woodward, Chairman-At-Large | ✓   |     |         |        |
| D. Keith Guzy, Jr.                  | ✓   |     |         |        |
| David Wiatrowski                    | ✓   |     |         |        |
| J. D. Cave                          | ✓   |     |         |        |
| Darrell I. Short                    | ✓   |     |         |        |
| Dorothy F. Pendley                  | ✓   |     |         |        |

Dated: June 16, 2015

[SEAL]

  
Clerk, Board of Supervisors  
Page County, Virginia

## **Page County Department of Fire and EMS**

### **Physical Fitness**

#### **Purpose:**

To maintain career employee's physical fitness, increase response readiness and overall physical condition of all Full-time and Part-time employees of Page County Fire – EMS. All new hires will be required to pass the physical fitness test prior to employment offer.

#### **Scope:**

Operational Fire and EMS personnel are required to maintain their physical ability. In order to maintain this state of readiness, the following physical fitness guideline is established.

#### **Scheduled Physical Fitness:**

Career Fire – EMS employees are encouraged to devote at least one hour each day for physical fitness training. This time includes preparation and clean-up.

#### **Annual Testing:**

- A. Career employees, both full time and part time, will be required to pass a physical fitness test annually. This test consists of a two (2) mile run/walk with the employee wearing a 25 pound, weighted vest. The two mile run/walk must be completed within 30 minutes.
  - B. Employees who fail to successfully complete the annual test within normal circumstances and guidelines will be required to attend an intense, physical training session three times a week in preparation of a follow up test. The follow up will be conducted within 60 days of the original test.
  - C. Employees who fail to successfully complete the follow up test may be terminated from employment at the discretion of the Page County Fire – EMS Coordinator and/or County Administrator.
-